



## MILPITAS PLANNING COMMISSION STAFF REPORT

October 22, 2014

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**APPLICATION:** **ST ELIZABETH CHURCH EXPANSION – 750 Sequoia Drive – UA14-0004, SD14-0010** - A request for a Conditional Use Permit Amendment and a Site Development Permit for the construction of a new 8,300 square foot ministry building.

**RECOMMENDATION:** **Staff recommends that the Planning Commission: Adopt Resolution No. 14-034 approving Conditional Use Permit Amendment No. UA14-0004 and Site Development Permit No. SD14-0010 for the construction of a new 8,300 square foot ministry building.**

**LOCATION:**  
Address/APN: 750 Sequoia Drive (88-25-041)  
Area of City: Saint Elizabeth's Church

**PEOPLE:**  
Project Applicant: Christopher Clancy AIA Architecttrue  
Consultant(s): Underwood & Rosenblum, Incorporate Civil Engineers and Surveyers  
Brio Engineering Associates, Incorporated  
Property/Business Owner: The Roman Catholic Bishop of San Jose  
Project Planner: Marge Sung, Assistant Planner

**LAND USE:**  
General Plan Designation: Single Family Low Density (SFL)  
Zoning District: Single Family Residential District (R1-6)

**ENVIRONMENTAL:** Categorically exempt from further environmental review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

### **EXECUTIVE SUMMARY**

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St. Elizabeth Church is requesting a Conditional Use Permit Amendment and a Site Development Permit for the construction of a new 8,300 square foot ministry building on the existing church site parking lot. The project also consists of site improvements, including removal of existing trash enclosure, construction of the new trash enclosure, expansion of masonry wall along the northern property line, and new landscaping and lighting around the new building. The existing church operation was established in the 1980's on a single family zoning property with an approved Conditional Use Permit. On September 11, 2013, the Planning

Commission approved Conditional Use Permit Amendment No. UA13-0004 and Site Development Permit No. SD13-0017 to allow the expansion of the existing parking lot for the Church.

### **Project Location**



### **Project Site**



**Proposed New Building Location On The Existing Parking Lot**



**Existing Trash Enclosure**





**Existing Fence on the Northern Property Line**



**Proposed Parking Lot Light Fixture**



## **BACKGROUND**

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### ***History***

In April 1968, Conditional Use Permit No. UP 0138 was approved for a new church with a parking lot on an 11.5 acre site at 750 Sequoia Drive with the condition to return with site plans and elevations for the architectural review of the new structures. In June 1969, the Planning Commission approved the site plan and elevations for the new 14,600 square foot church, 5,910 square foot rectory with offices and living/visiting quarters, and associated parking lot. The church sold the southeastern corner of the property for a subsequent development of three residential properties. The remaining church property is 5.29 acres.

The existing church with rectory and associated parking lot and landscaping was constructed in 1983 on 3.82 acres of the 5.29 acre parcel. The remaining 1.47 acre was undeveloped. On September 11, 2013, the Planning Commission approved Conditional Use Permit Amendment No. UA13-0004 and Site Development Permit No. SD13-0017 to allow the expansion of the existing parking lot for Saint Elizabeth Church on the remaining 1.47 acre.

### ***The Application***

On June, 13, 2014, Christopher Clancy representing Christopher Clancy AIA Architecture submitted an application on behalf of The Roman Catholic Bishop of San Jose pursuant to Section 57 of the Milpitas Zoning Code for Conditional Use Permit Amendment No. UA14-0004 and a Site Development Permit No. SD14-0010 for St Elizabeth Church. The following is a summary of the applicant's request:

- *Conditional Use Permit Amendment:* To amend the existing Conditional Use Permit for the expansion of an existing church operation on a R1-6, single family zoning district per Section XI-10-57.04 of the Municipal Code.
- *Site Development Permit:* To allow construction of the new 8,300 square foot multi-use ministry building for the existing church facility per Section XI-10-57.03 (C)(1)(b) of the Municipal Code. The site improvements include removal of existing trash enclosure, construction of the new trash enclosure, expansion of masonry wall along the northern property line, and new landscaping and lighting around the new building.

## **PROJECT DESCRIPTION**

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### ***Overview***

The existing church with rectory, offices and associated parking lot and landscaping was constructed in 1983 on 3.82 acres out of the 5.29 acre parcel. The church operation has grown and is in need of additional space to serve its programs and community. The parking lot expansion was approved on September 11, 2013 and the parking lot has been completed. The applicant requests to construct a new multi-use ministry building, approximately 8,300 square feet to meet the needs of the existing church operation.

### ***Location and Context***

The church with rectory has been in operation at this location since 1980's. The property is located on the corner of Sequoia Drive and Grand Teton west of Ben Rodgers Park and north of Rancho Middle School. The property is zoned Single Family Residential (R1-6) and is surrounded by single family homes.

## **PROJECT ANALYSIS**

### ***General Plan and Zoning Conformance***

The proposed project is consistent with the Milpitas General Plan in that the religious facility offers a place of worship and community services for the local community. The proposed project fosters community pride and growth through beautification of existing development. The surrounding area is single family residential.

The proposed project is consistent with the Milpitas Zoning Ordinance in that the expansion of the church is permitted with approval of a Conditional Use Permit amendment. As discussed in detail below, the proposed project meets all of the development standards in the Zoning Ordinance and will require a Site Development Permit since the new accessory building is over 2,500 square feet per the City's Zoning Ordinance.

### ***Development Standards***

The table below demonstrates how the proposed project is consistent with the development standards of the residential zoning district (R1-6).

**Table 1:**  
**Summary of Development Standards**

	<b>Standard</b>	<b>Proposed</b>	<b>Compliance</b>
<b><u>Setbacks</u></b> (Minimum)			
Front	20 feet	Exisitng church facing Sequoia Drive	N/A
Street Side	10 feet	Approximately 200 feet	Yes
Rear	25 feet	Approximately 400 feet	Yes
<b><u>Building Height</u></b> (Maximum)	30 feet	24'8"	Yes
<b><u>Lighting</u></b>	All lights used to illuminate a parking area shall be designed, located and arranged so as to reflect the light away from any street and any adjacent premises. XI-10-53.13. E.	Yes	Yes

	<b>Standard</b>	<b>Proposed</b>	<b>Compliance</b>
<u>Fencing</u>	A solid masonry wall a minimum height of six feet shall be required on all common property lines when any parking area is established abutting residentially zoned property or property shown on the adopted General plan s being residential. XI-10-53.13.G.	Yes	Yes
<u>Parking</u>	1 per 5 seats in the main area of assembly plus parking for classrooms and offices in this table. Where there are no seats, then 1 seat equals 7 square feet: 238 parking spaces. Table XI-10-53.09-1.	279 parking spaces	Yes

The proposal is consistent with the site development standards by code.

### ***Site & Architectural Design***

The proposed new multi-use ministry building is located on the existing parking lot behind the main church from Sequoia Drive. The proposed building will be in accordance with the existing church facility in terms of colors, materials and textures. The project also consists of site improvements, including removal of existing trash enclosure, construction of the new trash enclosure, expansion of masonry wall along the northern property line, and new landscaping and lighting around the new building. Although the new building will be noticeable from Sequoia Drive, it will be visible from Grand Teton Drive. The project will improve the existing parking lot site.

### ***Landscaping & Open Space Design***

New landscaping area will be provided around the new building with a variety of ground cover, shrubs, and trees. As conditioned, irrigation will be incorporated to all planter areas.

### ***Parking***

The table above represents the parking analysis per Table XI-10-53.09(G) of the Municipal Code. The proposed project meet the current parking requirements. The number of required parking spaces is 238 where 279 spaces are provided.

**Table 2:**  
**Parking Analysis**

<b>Uses</b>	<b>Parking Ratio</b>	<b>Parking Required</b>	<b>Parking Provided</b>
Existing Church			
Assembly Area 6,980 sq ft	1 per 5 seats in the main area of assembly plus parking for classrooms and offices in this table. Where there are no seats, then 1 seat equals 7 sq. ft.	199 spaces	
Meeting Office Rooms		13 spaces	
Existing Rectory			
7 Bedrooms	3 per unit, plus 1 per each additional bedroom	6 spaces	
Meeting/ Office Area 832 sq ft	1 per 240 sq. ft.	3 spaces	
Proposed Multi-Use Building			
Meeting Rooms/Offices 3,480 sq ft	1 per 240 sq. ft.	15 spaces	
Music Rooms 1,240 sq ft	1 per classroom or 1 per 500 sq. ft., whichever is greater.	2 spaces	
		238 spaces	279 spaces (3 spaces in the garage and 3 spaces on the driveway)

### ***Access & Circulation***

The property is located on the corner of Sequoia Drive and Grand Teton Drive. There are two public streets surrounding the project site. The two driveways on Sequoia Drive provide direct access to the site.

### ***Grading, Drainage and Stormwater***

The stormwater treatment details will be in compliance with the current stormwater run-off standards. The new 8,300 square foot multi-use ministry building is proposed to be located on



the existing parking lot. The stormwater control plan will incorporate source control, site design and stormwater treatment requirements and is consistent with Regional Water Quality Control Board's Municipal Regional StormwaterNPDES Permit (MRP) requirements. The best management practices (BMPs) will include the use of bio-treatment areas in the landscaped areas.

### ***Utilities***

The existing trash enclosure will be demolished. A new trash enclosure will be constructed to provide adequate service and to meet the growth of the church uses.

## **FINDINGS FOR APPROVAL**

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A finding is a statement of fact relating to the information that the Planning Commission has considered in making a decision. Findings shall identify the rationale behind the decision to take a certain action.

### ***Conditional Use Permit (Section XI-10-57-04-1(F))***

- 1. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare.*

As conditioned, the proposed project is consistent with this finding because the project is on an existing developed property with an approved Conditional Use Permit to allow church operation since 1983. The new multi-use ministry building will meet the needs of the church operation with a newly constructed parking lot. The project also includes removal of existing trash enclosure, construction of the new trash enclosure, expansion of masonry wall along the northern property line, and new landscaping and lighting around the new building. The proposed project meet all development standards including parking. The new building will be compatible with the existing church facility in terms of colors, materials and textures. and will not be detrimental or injurious to the property or improvements in the vicinity nor to the public health, safety, and general welfare.

- 2. The project is consistent with the Milpitas Zoning Ordinance.*

As conditioned, the proposed project is consistent with the Milpitas Zoning Ordinance. As discussed in detail above, the proposed project meets all current development standards in terms setbacks, height, and parking standards. The church may expand with approval of a Conditional Use Permit Amendment.

- 3. The project is consistent with the Milpitas General Plan.*

The project is consistent with this finding because the proposed use supports the following General Plan policy:

- Policy 2.a-I-17 Foster community pride and growth through beautification of existing and future development.

The existing church has been operating since 1983 with an approved Conditional Use Permit. The proposed multi-use ministry building is to expand the church facility and provide adequate service to its patrons. The site improvements will upgrade the existing parking lot, landscaping, and promote the beauty of the community.

***Site Development Permit (Section XI-10-57-03-1(F))***

- 1. The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.*

As conditioned, the proposed project is consistent with this finding because the proposed multi-use ministry building is compatible with the existing church in terms of materials, texture, and colors. Although the new building will not be visible from Sequoia Drive, the front of the building will be facing Grand Teton Drive. The site improvements include removal of existing trash enclosure, construction of the new trash enclosure, expansion of masonry wall along the northern property line, and new landscaping and lighting around the new building. The proposed project will be compatible and aesthetically harmonious with the site and the surrounding neighborhood.

- 2. The project is consistent with the Milpitas Zoning Ordinance.*

As discussed in detail above, the proposed project meets the applicable development standards and may expand with approval of a conditional use permit amendment.

- 3. The project is consistent with the Milpitas General Plan.*

The project is consistent with this finding because the proposed use supports the following General Plan policy:

- Policy 2.a-I-17 Foster community pride and growth through beautification of existing and future development.

The new multi-use ministry building supports the existing cultural center (church and rectory) for existing and use growth of the existing establishment. The new building is conveniently located behind the main building. The building is designed for neighborhood compatibility with the site improvements that enhance the community beauty.

## **ENVIRONMENTAL REVIEW**

The Planning Division conducted an environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). The project is categorically exempt from further environmental review pursuant to Section 15301 Class 1 (e)(2) (Existing Facilities) of the California Environmental Quality Act (CEQA). The project is in compliance with this exemption in that the addition will not result in an increase of more than 10,000 square feet and the project

is located within an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and the project is located is not located in an environmentally sensitive area.

### **PUBLIC COMMENT/OUTREACH**

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Staff provided public notice of the application in accordance with City and State public noticing requirements. At the time of writing this report, there have been one inquiry from a neighbor of the church who is concern about noise and late night activities at the church. The comment is attached to this report. A notice was published in the Milpitas Post on October 10, 2014. In addition, 1162 notices were sent to owners and occupants within 1,000 feet of the project site. A public notice was also provided on the project site, on the City's Website, [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov), and posted at City Hall.

### **CONCLUSION**

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The proposed 8,300 square foot multi-use ministry building, is designed to meet the needs of the existing church and enhance the existing neighborhood character and community. The site improvements include removal of existing trash enclosure, construction of the new trash enclosure, expansion of masonry wall along the northern property line, and new landscaping and lighting around the new building.

### **RECOMMENDATION**

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STAFF RECOMMENDS THAT the Planning Commission:

1. Conduct Public Hearing; and
2. Adopt Resolution No. 14-034 approving Conditional Use Permit Amendment No. UA14-0004 and Site Development Permit No. SD14-0010 for the construction of a new 8,300 square foot ministry building.

### **ATTACHMENTS**

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A: Resolution No. 14-034  
B: Development plans  
C: Rendering color plans  
D: Applicant's statement  
E: Public comment